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7	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON
8	AT SEATTLE
9	BRENDA CONGDON,)
10) Plaintiff,) CASE NO. C16-1629RSL
11	v.)
12	WELLS FARGO BANK, N.A., et al.,) ORDER DENYING MOTION TO ALTER
13 14) OR AMEND JUDGMENT Defendants.)
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16	This matter comes before the Court on plaintiff's "Notice of Motion and Motion to
17	Alter or Amend the Judgment Pursuant to Rule 59(e)." Dkt. # 32. Having reviewed the
18	memoranda submitted by the parties, the second proposed amended complaint, and the
19	remainder of the record, the Court finds as follows:
20	Under Rule 59(e), reconsideration of the Court's substantive rulings is warranted only
21	if "(1) the district court is presented with newly discovered evidence, (2) the district court
22	committed clear error or make an initial decision that was manifestly unjust, or (3) there is an
23	intervening change in controlling law." <u>United Nat. Ins. C. v. Spectrum Worldwide, Inc.</u> , 555
24	F.3d 772, 780 (9th Cir. 2009). The rule "may not be used to raise arguments for the first
2526	ORDER DENYING MOTION TO ALTER OR AMEND JUDGMENT - 1

1	time when they could reasonably have been raised earlier in the litigation." <u>Carroll v.</u>
2	Nakatani, 342 F.3d 934, 945 (9th Cir. 2003). Plaintiff's arguments were either raised in her
3	motion to amend the complaint (and considered when the Court denied that motion) or
4	waived.
5	The motion to alter or amend judgment is hereby DENIED.
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7	Dated this 24th day of August, 2017.
8	MWS Casnik
9	Robert S. Lasnik United States District Judge
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ORDER DENYING MOTION TO ALTER OR AMEND JUDGMENT - 2

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